

### REMARKS

Claims 1-25 remain pending in this application. Additionally, new claims 26-33, and have been added and claims 1, 11, 15, and 16 have been amended. Therefore, claims 1-33 are pending in the present application.

The Examiner rejected claims 1-27 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,528,219 (*Conrad*). Applicants respectfully traverse this rejection.

Applicants respectfully assert that *Conrad* does not anticipate all of the elements of claim 1, as amended. *Conrad* is directed to providing an alignment mark combination that provides alignment for a previous level. *Conrad* discloses selecting an alignment system alignment mark combination that provides alignment to a previous level during a photolithography process. See column 4, lines 26-29. *Conrad* discloses scanning of multiple marks for four exposure fields and discloses residual errors within field data variation separated from a field-to-field variation. See column 3, line 53-55. *Conrad* also discusses a mathematical model for targeting linear fit of errors. See column 5, lines 59-60. However, *Conrad* does not disclose determining a field mean error, as called for by claim 1 (as amended). Even though *Conrad* discloses residual errors, a field mean error is not calculated. Additionally, *Conrad* does not disclose calculating a wafer mean error, as called for by claim 1 (as amended).

Additionally, claim 1, as amended, calls for comparing the wafer mean error to the field mean error to determine whether a predetermined amount of residual error exists, which are elements not disclosed or suggested by *Conrad*. Claim 1 also calls for performing either a

field-level adjustment or a wafer-level adjustment based upon the residual-error analysis. In contrast, *Conrad* does not even disclose the wafer-mean error and the field-mean error of claim 1, much less performing a field-level adjustment or a wafer-level adjustment. *Conrad* is concerned with alignment errors and does not disclose or suggest the field-level adjustment or the wafer-level adjustment called for by claim 1 (as amended). Therefore, all of the elements of claim 1 is not taught disclosed or suggested by *Conrad*. Accordingly, claim 1 (as amended) of the present invention is allowable.

Furthermore, claim 11 calls for a system to determine a field-mean error and a wafer-mean error and to perform a comparison to generate modification data, which is not taught or suggest by *Conrad* for at least the reasons cited above. Claims 15 and 16 call for apparatuses to determine a field-mean error and a wafer-mean error to perform a comparison in order to determine a residual error, which are elements that are not taught, disclose or suggested by *Conrad* for at least the reasons cited above. Additionally, newly added claims 26 and 29 call for a system and an apparatus for determining a field-mean error and a wafer-mean error to perform a comparison in order to determine a residual error, which are elements that are not taught, disclose or suggested by *Conrad* for at least the reasons cited above. Therefore, independent claims 11, 15, 16, 26, and 29 are allowable for at least the reasons cited above.

Independent claims 1, 11, 15, and 16, are allowable for at least the reasons cited above. Additionally, dependent claims 2-10, 12-14, and 17-25, which depend from independent claims 1, 11, and 16, respectively, are also allowable for at least the reasons cited above.

In light of the arguments presented above, Applicants respectfully assert that claims 1-33 are allowable. In light of the arguments presented above, a Notice of Allowance is respectfully solicited.

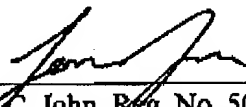
If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Houston, Texas telephone number (713) 934-4069 to discuss the steps necessary for placing the application in condition for allowance.

Respectfully submitted,

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By: \_\_\_\_\_

  
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